

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MARK D. HODGES,

Plaintiff,

v.

Civil Action No. 3:11cv718

ATTORNEY GENERAL'S OFFICE OF
VIRGINIA, et al.,

Defendants.

MEMORANDUM OPINION

Mark D. Hodges, a Virginia detainee proceeding pro se and in forma pauperis, filed this 42 U.S.C. § 1983 action. In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. See Dowe v. Total Action Against Poverty in Roanoke Valley, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). In his current Complaint, Hodges does not identify the particular constitutional right that was violated by the defendants' conduct. Accordingly, by Memorandum Order entered on February 21, 2012, the Court directed Hodges to submit a particularized complaint within fourteen (14) days of the date of entry thereof. The Court warned Hodges that the failure to submit the particularized complaint would result in the dismissal of the action.

More than fourteen (14) days have elapsed since the entry of the February 21, 2012 Memorandum Order. Hodges failed to submit a particularized complaint or otherwise respond to the February 21, 2012 Memorandum Order. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of this Memorandum Opinion to Hodges.

Date: April 19, 2012
Richmond, Virginia

/s/ *REP*

Robert E. Payne
Senior United States District Judge